IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Applicant:	§	
David A. Cobbley et al.	§	Art Unit: 2174
	§	
Serial No.: 09/754,553	§	
	§	Examiner: Thanh T. Vu
Filed: January 4, 2001	§	
	§	
For: Displaying Software	§	Docket: ITL.0526US
Keyboard Images	§	P10830

Mail Stop Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

APPEAL BRIEF

Sir:

Applicants respectfully appeal from the final rejection mailed April 19, 2004.

I. REAL PARTY IN INTEREST

The real party in interest is the assignee Intel Corporation.

II. RELATED APPEALS AND INTERFERENCES

None.

III. STATUS OF THE CLAIMS

Claims 1-20 have been finally rejected and are the subject of this appeal.

Date of Deposit: __July 28, 2004__
I hereby certify under 37 CFR 1.8(a) that this correspondence is being deposited with the United States Postal Service as **first class mail** with sufficient postage on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Cynthia L. Hayden

IV. STATUS OF AMENDMENTS

All amendments are believed to have been entered.

V. SUMMARY OF THE INVENTION

Referring to Figure 1, an exemplary graphical user interface or screen display 10 may be a web page received from an Internet web server. The screen display 10 may be displayed on the display of a processor-based system. Specification, at page 3, line 24 through page 4, line 7.

The screen display 10 may be used, for example, to complete an Internet transaction in which a user enters the user's name in a data entry area 16a and a password in a data entry area 16b. The display 10 includes a field 12 for returning customers and a field 14 for new customers. Thus, if the particular user is a returning customer, the user enters a user name and password in the data entry areas 16 in the field 12. If a user is a new customer, the user selects the continue icon in the field 14. The screen display 10 is exemplary only and is not intended to in any way limit the scope of the present invention. Specification, at page 4, line 8 through line 18.

As used herein, "data entry areas" may be character entry blocks or boxes or any other area designated for the entry of text or numeric data and any associated contextual text or graphics information, such as instructions for inserting data. Particularly, in connection with Internet web pages, data entry areas such as text entry blocks may use particular coding such as hypertext markup language (HTML) coding or other languages including eXtensible mark up language (XML), JAVA applets, Flash, ActiveX, or Shockwave components as a few examples. This coding may be identified to determine, within the code, whether or not a data entry area having specified characteristics, is used on a given web page. Thus, the presence of data entry

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areas 16 can be readily determined, for example, in association with Internet web pages by scanning the web page's code. Specification, at page 4, line 19 through page 5, line 8.

In some cases, to facilitate the entry of characters into the data entry areas 16a and 16b, an on-screen keyboard image 18 may be displayed as shown in Figure 2. The keyboard image 18 may include a plurality of user selectable character key images to facilitate data entry. The user may select key images by touching those images in the case of a touch screen with a finger or a stylus. In other cases, a mouse cursor may be positioned over the key image and the image may be selected using a mouse click operation. Specification, at page 5, line 9 through line 18.

The user may elect to use the keyboard image 18 for data entry by selecting an appropriate software icon that may be displayed on the screen display 10, as one example. Alternatively, selecting (e.g., touching) a text entry field may cause the keyboard image 18 to be displayed automatically. As still another example, a device associated with the screen display 10 may include an appropriate hardware button to enable the user to select the presentation of the keyboard image 18. Using a variety of techniques, the user may select to display the keyboard image 18. Specification, at page 5, line 19 through page 6, line 3.

Once the keyboard image 18 is selected, the keyboard image 18 may be prevented from overlaying important information on the screen display 10. That important information may include the data entry areas 16a and 16b as well as information, indicated at field 12, that may facilitate character entry or advise the user about how to enter the data. If either or both of these types of information are obscured by the keyboard image 18, the entry of the desired data may be more difficult. Specification, at page 6, line 4 through line 12.

As is shown in Figure 2, the keyboard image 18 may be positioned at a location that would have obscured at least the data entry area 16b. However, in this case, the data entry areas

16a and 16b may be rearranged to appear in the field 14. In the case where the user has selected the keyboard image 18, it is known by deduction that the user must not be a new customer and therefore does not need the field 14. The field 14 instead may be utilized to receive the data entry areas 16a and 16b. As a result, useless information may be removed from the field 14 of the display screen 10 and the field 14 may instead be filled with data entry areas 16a and 16b. Specification, at page 6, line 13 through line 24.

This shifting of data avoids the nuisance that either the data entry areas 16a and 16b or associated information in the field 12 may be obscured by the keyboard image 18 thereby making data entry more difficult. By recognizing where the various information is located on the current screen display, the keyboard image 18 may be positioned and important information may be relocated on the screen display to facilitate data entry. Specification, at page 7, line 8 through line 15.

VI. ISSUES

A.   **Is Claim 1 Obvious Over Vale in View of Zellweger?**

B.   **Is Claim 3 Obvious Over Vale in View of Zellweger?**

VII. GROUPING OF THE CLAIMS

Claims 2, 5-8, 11-14, and 17-20 may be grouped with claim 1.

Claims 3, 4, 9, 10, 15, and 16 may be grouped with claim 3.

VIII. ARGUMENT

A.   **Is Claim 1 Obvious Over Vale in View of Zellweger**

Claim 1 calls for displaying a keyboard image on a user interface. It further calls for moving a data entry area on said interface to display said keyboard image.

Zellweger is cited as "teaching moving a data entry area on said user interface to display said keyboard image." However, all Zellweger teaches is moving text to allow text interlineations. It does not teach a data entry area and it does not teach a keyboard image. Further, it teaches nothing about moving a data entry area to accommodate a keyboard image. Finally, not only does it not teach these things, it provides no rationale from within the reference itself to modify Vale. Therefore, a prima facie rejection is lacking.

The office action asserts that the data entry area is the area 68 in Vale. However, if this is the case, (and it certainly appears to be very unclear that that area is any kind of data entry area), Vale would teach away from the claimed invention because Vale teaches providing a distinct entered data area which is separate and distinct from the keyboard image 66. Therefore, the combination of the two references still teaches no reason to provide for movement of a data entry area on an interface to display a keyboard image. The general concept itself is no where suggested in either reference or their combination, even if they were combined.

Therefore, the rejection of claim 1 should be reversed.

B.   Is Claim 3 Obvious Over Vale in View of Zellweger?

Claim 3 (dependent on claim 1) calls for searching for coding associated with data entry areas to identify the location of a data entry area.

The office action simply cites numerous lines of code without any effort to point out any code that searches for code associated with data entry areas to identify the location of a data entry area. None of the code cited in any way appears to meet the claim limitation. Namely, there is no searching for coding associated with data entry areas to identify the location of that data entry area.
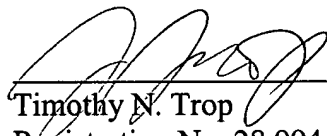
Therefore, the rejection of claim 3 should be reversed.

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IX. CONCLUSION

Applicants respectfully request that each of the final rejections be reversed and that the claims subject to this Appeal be allowed to issue.

Respectfully submitted,

Date: July 28, 2004

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APPENDIX OF CLAIMS

1. A method comprising:

    displaying a keyboard image on a user interface; and

    moving a data entry area on said interface to display said keyboard image.

2. The method of claim 1 including moving a data entry area on said interface to enable an unobstructed view of said keyboard image and said data entry areas.

3. The method of claim 1 including searching for coding associated with data entry areas to identify the location of a data entry area.

4. The method of claim 3 including searching for characteristic coding of a web page.

5. The method of claim 1 including moving data from the location where a keyboard image is to be positioned and positioning said data at another location on said interface.

6. The method of claim 1 including scrolling the data entry area to prevent the data entry area from being obscured by the keyboard image.

7. An article comprising a medium storing instructions that enable a processor-based system to:

    display a keyboard image on a user interface; and

    move a data entry area on said interface to display said keyboard image.

8.   The article of claim 7 further storing instructions that enable the processor-based system to move a data entry area on said interface to enable an unobstructed view of the keyboard image and the data entry area.

9.   The article of claim 7 further storing instructions that enable the processor-based system to search for coding associated with data entry areas to identify the location of a data entry area.

10.   The article of claim 9 further storing instructions that enable the processor-based system to search for characteristic coding of a web page

11.   The article of claim 7 further storing instructions that enable the processor-based system to move data from a location where a keyboard image is to be positioned and position the data at another location on the interface.

12.   The article of claim 7 further storing instructions that enable the processor-based system to scroll the data entry area to prevent the data entry area from being obscured by the keyboard image.

13.   A system comprising:

a processor; and

a storage coupled to the processor, the storage storing instructions that enable the processor to display a keyboard image on a user interface and move a data entry area on the interface to display the keyboard image.

14. The system of claim 13 wherein the storage stores instructions to enable the processor to move a data entry area on the interface to enable an unobstructed view of the keyboard image and the data entry area.

15. The system of claim 13 wherein the storage stores instructions to enable the processor to search for coding associated with data entry areas to identify the location of a data entry area.

16. The system of claim 15 wherein the storage stores instructions that enable the processor to search for a characteristic coding of a web page to locate a data entry area.

17. The system of claim 13 wherein the storage stores instructions that enable the processor to move data from a location where a keyboard image is to be positioned and to position the data at another location on the interface.
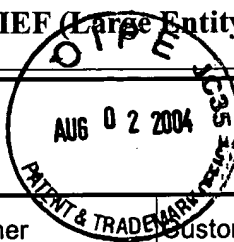
18. The system of claim 13 further including a touch screen coupled to the processor.

19. The system of claim 13 wherein said storage stores instructions to determine whether the image will obscure the data entry area and, if so, to move the data entry area.

20. The system of claim 19 wherein said storage stores instructions to scroll the display to avoid the keyboard image from obscuring the data entry area.

TRANSMITTAL OF APPEAL BRIEF (Large Entity)		Docket No. ITL.0526US

In Re Application Of: **David A. Cobbley et al.**

AUG 0 2 2004

Application No. 09/754,553	Filing Date **January 4, 2001**	Examiner **Thanh T. Vu**	Customer No. 21906	Group Art Unit 2174	Confirmation No. 3695

Invention: **Displaying Software Keyboard Images**

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COMMISSIONER FOR PATENTS:

Transmitted herewith in triplicate is the Appeal Brief in this application, with respect to the Notice of Appeal filed on **June 21, 2004.**

The fee for filing this Appeal Brief is: **$330.00**

☒ A check in the amount of the fee is enclosed.

☐ The Director has already been authorized to charge fees in this application to a Deposit Account.

☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. **20-1504**

Dated: **July 28, 2004**

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Signature

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